

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

JAN 23 2018

Clerk, U S District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TERRANCE TYRELL EDWARDS,

Defendant.

CR 16-103-BLG-SPW-1

ORDER

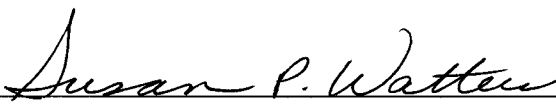
Before the Court is Google LLC's Motion to Vacate Order and Motion to Quash Subpoena. (Doc. 248). Google moves to vacate this Court's order to show cause requiring Google to produce email messages and other records associated with two Google accounts and to quash the related subpoenas. (Doc. 249). Shortly after Google filed its motion, the government advised the Court that it had obtained a search warrant for the same materials requested in Edwards' subpoena, (Doc. 251), and then advised the Court that Google had produced the responsive documents and that the government would produce the documents to Edwards as soon as possible. (Doc. 254). Google argues that because it produced the documents to the government pursuant to the search warrant, the dispute is moot. (Doc. 261).

After reviewing the government's search warrant, the Court agrees. The government's request for documents in the search warrant (for documents from March 2, 2016 to present) is broader than Edwards' request in his subpoena (from March 2, 2016 to October 1, 2016). (*See* Doc. 196-3 at 2; Doc. 261-3 at 4, 6). Therefore, any documents placed at issue by Edwards' subpoena have been captured by the search warrant and produced to Edwards. This information has been confirmed by counsel during the Court's status call on today's date.

Accordingly, IT IS HEREBY ORDERED that Edwards' subpoena duces tecum directed to Google LLC is QUASHED.

IT IS FURTHER ORDERED THAT Google's Motion to Vacate Order and Motion to Quash Subpoena (Doc. 248) is DENIED as moot, and this Court's order to show cause is VACATED.

DATED this 23rd day of January 2018.



SUSAN P. WATTERS
United States District Judge